

Dear Mr Howes

Almost one third of shark and ray species face extinction within decades, threatening the unravelling of entire ecosystems. As such, it is clear that their protection is a top priority for all of us working towards a shared vision of a healthy, thriving marine environment. Alongside Harvest Control Rules derived from science-based reference points, bycatch reduction and live release mitigation measures, the elimination of shark finning is a fundamental element for ensuring the protection and recovery of threatened species. Besides being an extremely cruel and wasteful form of exploitation of marine life, shark finning is an illegal, unreported and unregulated (IUU) fishing activity in much of the world, which undermines effective management and conservation. As such, MSC has quite rightly stated that it takes a 'zero tolerance' approach towards the practice.

In this context, we welcome the inclusion of shark finning in the MSC's ongoing Fisheries Standard Review (FSR) as it provides a key opportunity for the implementation of vital reforms which could subsequently incentivise broader change across the fishing industry. We are writing ahead of upcoming Board decisions related to the Fisheries Standard Review to express our view that **a Fins Naturally Attached (FNA) policy in all fisheries interacting with sharks is the only way to effectively enact such a zero tolerance approach to shark finning** and to request **active, ongoing involvement as a stakeholder group in the policy development process** leading up to decisions made at your December Board.

Call for the MSC to introduce a Fins Naturally Attached (FNA) policy

FNA is widely accepted, in the scientific literature and in management practice, to represent global best practice in preventing shark finning and, supported by effective monitoring and compliance, to be the only way of ensuring no finning can take place. FNA avoids many of the loopholes and ambiguities which limit effectiveness and enforcement of other approaches and facilitates species identification and collection of vital data. No alternative can offer the same level of confidence and therefore FNA is the only policy basis that is 100% consistent with MSC's zero tolerance approach to shark finning. Furthermore, the MSC itself perceives FNA to be best practice, acknowledging in the guidance to the Fisheries Standard that "*The MSC considers that a policy requiring the landing of all sharks with fins naturally attached is the most rigorous approach to ensuring that shark finning is not occurring.*" However, despite this recognition, MSC has still not implemented FNA as a mandatory requirement or prerequisite (i.e. at SG60) for the certification of fisheries that interact with sharks, and alarmingly also does not require it even at higher scoring levels, thereby falling far behind the curve of global fisheries management.

We are therefore calling on the MSC to use this Fisheries Standard Review as an opportunity to align its policy with global best practice: **evidence of shark finning must preclude a fishery from entering the certification process and any fisheries interacting with sharks as**

primary, secondary or ETP species must have an FNA policy with no exemptions in place as a prerequisite for certification. The fishery must **demonstrate compliance** with the policy prior to, and throughout, certification with a level of monitoring and surveillance proportionate to the risk of finning occurring in that specific fishery.

It is of course critically important that the MSC remains globally accessible. However, it should be noted that FNA has been successfully adopted and implemented by a large number and range of countries, international bodies and fisheries management authorities. Additionally, it would be feasible for MSC to conduct an appropriate process to identify fisheries that might be concerned about financial or logistical challenges in implementing FNA and work with them to find effective solutions.

Request for active and constructive participation in the policy development process

We appreciated the opportunity to participate in the public workshops on this topic in July and the ability to provide further feedback as part of the survey on this topic. In line with both FAO and ISEAL guidance, transparent and participatory decision-making with adequate representation of all stakeholders is a vital principle underpinning ecolabelling schemes such as MSC.

We were however disappointed at the MSC's delay in publishing reports from the workshops or the outcomes of the subsequent survey. Furthermore, we would respectfully urge that public engagement not be limited to narrow consultation windows or to singular questions and that, as highlighted by FAO, "balanced participation by independent technical experts and by representatives of interested parties" be ensured. Rather than presenting a completed proposal, drafted internally and then deliberated on by the Board, to stakeholders in 2021, by which stage it may be too late for fundamental changes, we instead urge the MSC to incorporate ongoing engagement with all stakeholder groups and perspectives throughout the process of developing and drafting proposals for the revision of the Standard.

We therefore write to request that representatives of this group of signatories be invited to attend TAB and STAC meetings in order to understand how feedback from workshops, surveys and other stakeholder engagement are being considered. Furthermore, we wish to request that we be given the opportunity to present to the MSC Board, Executive, TAB and STAC and discuss a proposal regarding the implementation of an FNA policy in the updated Standard, prior to a final proposal being selected for public consultation by the Board.

In light of the rapidly approaching TAB and STAC meetings, we look forward to receiving a response within the next two weeks and to continuing to engage with the MSC's shark finning policy development process.

Yours sincerely,

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